

*George H. Corn, County Attorney*  
*T. Geoffrey Mahar, Chief Deputy*  
*John Bell, Deputy*  
*Karen Mahar, Deputy*  
*William E. Fulbright, Deputy*  
*Alex Beal, Deputy*

Ravalli County Courthouse  
205 Bedford, Suite C  
HAMILTON, MT 59840-2853  
Phone (406) 375-6750  
Fax (406) 375-6731

**MEMORANDUM**

*Copied to  
Dave O'  
for response*

**TO:** Ravalli County Commissioners

**RECEIVED**

**FROM:** George H. Corn, Ravalli County Attorney *YK*

**FEB 22 2008**

**CC:** Dave Ohnstad, Road Department  
Chris Hoffman, Sheriff

Ravalli County Commissioners

--	--	--	--	--

**DATE:** February 21, 2008

**RE:** Road Jurisdiction/Riverview Orchard Landowners Association

Commissioners:

I have received the attached letter with post-it from Sheriff Hoffman regarding whether or not the roads listed in the February 6, 2008, letter by Mr. Bill Swendsen are County Roads. Would you please review this with the Road Supervisor and inform the Sheriff's Office to the status of the roads.

Thank you for your assistance in this matter.

**RIVERVIEW ORCHARD LANDOWNERS ASSOCIATION**  
**P.O. Box 313**  
**Florence, Montana 59833**

February 6, 2008

Ravalli County Sheriffs Office  
County Office Building  
Hamilton, MT 59840

**RECEIVED**  
**FEB 8 2008**  
**SHERIFF'S OFFICE**

Re: Road Jurisdiction

Dear Sheriff:

I am writing on behalf of our Association to clarify with you that the Sheriff of Ravalli County does indeed have jurisdiction over the roads that are in our sub-division: Cottonwood Drive North & South; Meadowview Drive North & South; Riverview Drive North & South; Mountainview Drive North and South; Orchard Lane; and Skyview Drive.

On many occasions several residents have called the Sheriff's Office for various motor vehicle violations. When the Sheriff arrives we are told that the roads are private and not under the County jurisdiction. Several years ago, the County clarified that indeed these are public right of ways and that the County is responsible. This was with the then County Attorney James McCubbin. Mr. Thompson was a County Commissioner as well at that time. We were told that the County elected not to maintain these rights of ways, which they can do under the current Montana Annotated Code. However it was made load and clear to us that the County was still liable for anything that happened on these right of ways, and that the County Sheriff should be notified if there were any concerns or noted violations.

Some of us have called the State Police, and they agree that they are indeed under the County jurisdiction. Please inform you deputies that these rights of way are under County responsibility.

I await your reply.



Bill Swendsen, President

Cc: County Commissioners

**COPY**

George,

I'm not familiar w/this  
do you have any recollection  
of it?... We're researching  
so I can answer him.

Do you have any input?  
Chris